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Letter dated 21 October 2016 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the comments and observations of the Islamic Republic of Iran on the report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran (A/71/374) (see annex).

I would appreciate it if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 68 (c).

(*Signed*) Gholamali **Khoshroo**
Ambassador
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Annex to the letter dated 21 October 2016 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Comments and observations of the Islamic Republic of Iran on the report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran

While the overall efficiency and effectiveness of the United Nations in carrying out its mandate and addressing main global issues are being questioned, the counterproductive approach embodied in the report of the Secretary-General (A/71/374) can only further erode the integrity and the relevance of the United Nations human rights mechanisms and make them even less credible. The report once again brings to light the unfortunate fact that the United Nations human rights mechanisms continue to be manipulated and politicized by applying selectivity, double standards and political manoeuvring as their modus operandi. Beyond political considerations, there is no credible ground for producing four similar reports annually on Iran. The duplication of false and biased allegations neither substantiates nor gives credibility to such reports, which are basically carbon copied. The intent, the structure and the approach of the report make it objectionable in its entirety.

It is instructive to notice that the report almost completely disregards the democratic and the dynamic environment that exists and constantly progresses in the Islamic Republic of Iran. As an indication of the Government's adherence to respect for and the promotion of human rights, during the past four decades genuine elections in the Islamic Republic of Iran have decided the country's direction in both internal and foreign affairs. In keeping with its commitment to the people's right to freely decide their destiny, on February 2016 the tenth parliamentary election was held in a free, democratic and competitive setting. As a result, the number of women parliamentarians has significantly increased in the new Parliament. Iranians will go to the ballot boxes once again in May 2017 for the twelfth Presidential election. Ballot boxes actually rule the country and have contributed to creating peaceful democratic processes and raised the level of transparency and accountability, as inherent characteristics of Iran's vibrant social and political life. Free and open media and social networks routinely contribute to the decision-making process throughout the political levels. It is worth noting that it was decided not to mention these developments in the report, as if democracy and ballot boxes are not important enough when it comes to human rights situations on certain occasions.

The peculiar interpretation of the Secretariat of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals constitutes a clear deviation from the Agenda and its Goals (see paragraph 79 of the report). Considering Agenda 2030 as a human rights commitment is absolutely inconsistent with the letter and the spirit of the Agenda and the promises Member States have made therein. It is also surprising to notice that the Secretariat seems unaware of the principles governing United Nations country presence. Country offices in developing countries are not part of the United Nations human rights mechanism. Policy

documents such as the quadrennial comprehensive policy review clearly underline programme countries' leadership and ownership over their programmes with United Nations agencies. The new understanding provided in the report completely contradicts the will of Member States as reflected in the 2030 Agenda and the quadrennial comprehensive policy review.

Another odd innovation in the report was the insertion of a new section on refugees. A reference to the extensive and outstanding services provided to refugees by the Islamic Republic of Iran does not justify overstepping the specific mandate. While a few thousand refugees are viewed as a serious security threat by some countries, the Islamic Republic of Iran has generously, and with negligible international support, hosted, with the highest possible standards, millions of regular and undocumented refugees for several decades. It is absolutely disgraceful that the United Nations, instead of raising support for the exemplary work delivered by Iran, further diluted the report with unsubstantiated irrelevant allegations or isolated cases concerning refugees.

A distinctive feature of the report is the overwhelming attempt to whitewash criminals, armed drug dealers, terrorists, rapists and spies, as well as their vicious conduct against ordinary Iranian citizens. A big chunk of the report is allocated to openly or tacitly defending those who do not recognize the rights of their victims. The persistent inclination in the report to disparage the Government's decisiveness and dedication in protecting people's safety and security is not at all constructive. It is unfortunate that the report went to the extent of labelling terrorists as political prisoners. The mandate does not qualify the authors to imbue the report with arbitrary judgments or preferences. Obviously, when it comes to the penal codes and other laws, Member States are required to act solely within the confines of national laws and international conventions.

Also striking is the expectation expressed in the report that the Government should avoid confronting immoral and pornographic content on the Internet, as breaking relevant national laws and regulations are embellished as artistic creativity in the report. In addition, there is concern expressed that the Government seeks to store data on Iranian users on Iranian servers and considers it a risk to their privacy, as if their privacy would be ensured and protected should Iranians' information be stored on foreign servers. Another strange pattern traceable throughout the report is the insistence on raising very isolated cases, which are unfortunate incidents that could happen everywhere on a daily basis. Meanwhile, it is unlikely that the authors were unaware of the available figures and relevant data on the recorded cases of honour killings and female genital mutilation in Iran, which are even less than those that have occurred in the heart of Europe.

As a country at the frontline of countering illicit drugs, the Islamic Republic of Iran has sustained huge life and property losses to protect its citizens and part of the global community from the evil of addiction. Thus far in the course of Iran's relentless campaign against regional and international armed drug traffickers, around 4,000 law enforcement officers have lost their lives and 12,000 have been maimed. On average, more than 80 per cent of the world's opium and approximately 40 per cent of the world's heroin and morphine are seized in Iran, so much that in 2015 alone approximately 620 tons of different types of drugs were seized in Iran. The support provided by the international community, however, has been minuscule.

Again, there was a preference to overlook this exceptional situation in the report and to side with the drug traffickers, who are typically armed and are linked with transnational organized crime and terrorist networks. There seems to be no expression of concern in the report about the young generation, whose lives are being utterly destroyed by these criminals, or the family members of the police officers, who are murdered by them. Owing to the severity of the crime and as a strong deterrent measure, capital punishment for the trafficking of large quantities of drugs, which usually involve live arms, is stipulated by the law. Nonetheless, to obtain an even higher degree of deterrence, discussions to properly revise the law are under way.

Iran is a country formed by minorities, ethnic and religious. Iran has been a refuge for minorities for thousands of years. Appreciation and recognition of minorities have been outstanding characteristics of the country's past; they are at present and they will be in the future. However, the insistence in the report to imply the existence of division and intolerance in the society is incomprehensible. The fabrication of non-existent situations can have arisen only from the unconstructive and biased approach taken by the authors of the report. Of course, since everyone is expected to be equal before the law, regardless of religion or ethnicity, belonging to a minority cannot and should not afford impunity to any violator.

Specific cases have been raised in the report that have been separately and extensively responded to in detail. However, the gravity of such cases is not greater than that of similar cases in most countries, such as to warrant country-specific reports or resolutions. No country can claim to be perfect; neither can the Islamic Republic of Iran. There is always room and the possibility to improve laws to the extent that they do not contradict social norms that are acceptable to citizens. Obviously, no country could or should be expected to abandon its laws just to curry favour with a few countries that wish to impose their way of living on others. As a matter of fact, the cornerstones of our laws and regulations are shared by almost all countries in our region and many more around the world. Therefore, their foundation and application are not limited to a single country or even region.

Should there be any genuine concern about human rights, the path of mutual respect and dialogue is the correct one to take. The Islamic Republic of Iran is committed to the universal periodic review and cooperation with the Office of the United Nations High Commissioner for Human Rights. Iran also expects to host very soon two thematic special rapporteurs, while extending its hands for dialogue and cooperation. In fact, as one of his first initiatives following his assumption of office, President Rouhani put forward the Charter of Citizens' Rights to enhance the promotion of human rights in the country, and appointed a woman as his special assistant to fast-track it. President Rouhani's policy of constructive engagement with the world promises new horizons for dialogue-based cooperation, understanding and mutual respect in all fields, including human rights. To enhance the credibility of human rights discourse, we seek respectful dialogue without recrimination or the blame game and welcome meaningful engagement with all serious partners. The report simply does not serve such purpose.